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June 26, 2023

VIA ECF

Hon. Lewis A. Kaplan, U.S.D.J.
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Courtroom 21B
New York, New York 10007-1312

**Re: In re Customs and Tax Administration of the Kingdom of Denmark (SKAT) Tax Refund Litigation
Master Docket No.: 1:18-md-02865-LAK-RWL¹**

Dear Judge Kaplan:

My law firm represents individual Defendant, Gavin Crescenzo, and his associated pension plans in the below footnoted sixteen (16) individual actions within this MDL (collectively the “Crescenzo Defendants”). On today’s date, my law firm will be filing a motion to withdraw as counsel for the Crescenzo Defendants in all of these actions. In support of this motion, we will be filing the Declaration of Joseph LoPiccolo, which contains sensitive recitations of communications between myself and Mr. Crescenzo that are protected from disclosure by the attorney-client privilege and/or attorney work-product doctrine.

Accordingly, I write to Your Honor at this time respectfully requesting the Court issue an Order permitting my law firm to file the Declaration of Joseph LoPiccolo under seal. “[D]ocuments in support of motions to withdraw as counsel are routinely filed under seal

¹ This letter applies to the following actions: 1:18-cv-05147, 1:18-cv-05150, 1:18-cv-05151, 1:18-cv-05158, 1:18-cv-05164, 1:18-cv-05180, 1:18-cv-05183, 1:18-cv-05185, 1:18-cv-05186, 1:18-cv-05188, 1:18-cv-05189, 1:18-cv-05190, 1:18-cv-05192, 1:18-cv-05193, 1:18-cv-05194 and 1:18-cv-05307.

Hon. Lewis A. Kaplan, U.S.D.J.
June 26, 2023
Re: In re SKAT; 1:18-md-02865-LAK-RWL
Page 2 of 2

where necessary to preserve the confidentiality of the attorney-client relationship between a party and its counsel, and ... this method is viewed favorably by the courts.”” *Thekkek v. LaserSculpt, Inc.*, No. 11 Civ. 4426 (HB) (JLC), 2012 WL 225924, at *3 (S.D.N.Y. Jan. 23, 2012) (quoting *Team Obsolete Ltd. v. A.H.R.M.A. Ltd.*, 464 F. Supp. 2d 164, 165 (E.D.N.Y. 2006)); *Karimian v. Time Equities, Inc.*, No. 10 Civ. 3773(AKH)(JCF), 2011 WL 1900092, at *7 (S.D.N.Y. May 11, 2011) (same); *Delgado v. Donald J. Trump for President, Inc.*, 19-CV-11764 (AT) (KHP), 2023 WL 2975155, at *1 n.1 (“Documents concerning motions to withdraw as counsel are “routinely” filed under seal or *in camera* to preserve the confidentiality of the attorney-client relationship between a party and its counsel.””).

Based upon the foregoing, the law firm of Poulos LoPiccolo PC respectfully requests that Your Honor permit us to file the Declaration of Joseph LoPiccolo in support of the motion to withdraw under seal.

I thank Your Honor for your time and thoughtful consideration of this submission. I will make myself available if the Court requests further information.

Respectfully submitted,

s/ *Joseph LoPiccolo*

JOSEPH LOPICCOLO

JLP/asa
c. All Counsel of Record Via ECF